

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

Plaintiff,

Index No.: 1:10-CR-0600-DLI

-against-

MICHAEL METTER, STEVEN
MOSKOWITZ, ANDREW TEPFER, also
known as "Avi," SEYMOUR EISENBERG,
also known as "Jimmy," GEORGE
SPERANZA, THOMAS CAVANAGH, and
FRANK NICOLOIS,

Defendants.

**AFFIRMATION OF MICHAEL
METTER IN SUPPORT OF MOTION
TO SUPPRESS SEIZED PROPERTY**

===== X

MICHAEL METTER, being duly sworn, deposes and says:

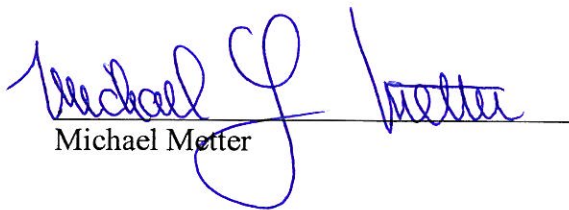
1. I understand that the government has obtained all of the records relating to my email account with the address greenwich4@aol.com. That email account is one that I have used for more than ten years, and that I use for communications with my family, friends and colleagues, and for personal matters. It also includes my email communications relating to the operations of BusinessTalkRadio, of which I have served as President since 2002.

2. The government also seized from my home a total of four hard drives including one MacBook laptop computer. The MacBook was kept in the kitchen of the home and was used by me and by other members of my family. One of the Dell computers was kept in an office in the lower level of my home, and was used primarily by me for personal and business matters. Another Dell computer was in my wife's home office on the second level of the home, and was used almost exclusively by her.

3. The government also seized various stock certificates of BusinessTalkRadio.net, including ones that I was holding for others including Len Moscati and Philip Casesa, and my employment agreement with BusinessTalkRadio.

4. Finally, the government seized a total of approximately \$27,000 in cash, most of which I had begun to accumulate, after I was diagnosed with cancer, for my family to have in case of emergency. In addition, there were more than \$2000 for household use, and currency that was part of a collection that was given to me by my grandfather.

Dated: May 25, 2011


Michael Metter

Sworn to before me this 25th
day of May 2011

